

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JOHNNY D. CULLEY,

Plaintiff,

No. 03:11-cv-01498-AC

v.

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation (#35) on October 29, 2013, in which he recommends that this Court grant Plaintiff's motion for attorney fees pursuant to 42 U.S.C. § 406(b) and award Plaintiff \$5,853.37 in fees. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate


Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Acosta's Findings & Recommendation [35]. Accordingly, Plaintiff's motion for section 406(b) attorney fees [30] is granted and Plaintiff is awarded \$5,853.37 in attorney fees.

IT IS SO ORDERED.

DATED this 6 day of Dec, 2013.

  
MARCO A. HERNANDEZ  
United States District Judge